

85

HIGH COURT OF JUDICATURE AT BILASPUR : CHHATTISGARH

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, C.J.

WRIT PETITION (C) NO. 5372 OF 2006.

**PETITIONERS
(DEFENDANTS)**

1. Bindra Prasad,
S/o Dhinnulal,
Aged about 66 years,
R/o Near Railway Station,
Chirmiri, District – Korla,
Chhattisgarh.
2. Om Prakash,
S/o Mahangulal,
Aged about 39 years
3. Shiv Prasad,
S/o Mahangulal,
Aged about 36 years.

Petitioners No. 2 & 3 above are R/o
Haldibadi, P.S. Chirmiri, Tah –
Manendragarh, District Korla,
Chhattisgarh.

Versus

**RESPONDENT
(PLAINTIFFS)**

1. Haridas,
S/o Dhinnulal,
Aged about 71 years.
2. Raj Kumar,
S/o Haridas,
Aged about 43 years
3. Ashok Kumar Gupta,
S/o Haridas Gupta
Aged about 41 years.
Respondents No. 1 to 3 above all
R/o Haldibadi, P.S. Chirmiri, Tah.
Manendragarh, District – Korla,
Chhattisgarh

(DEFENDANTS)

4. Indian Oil Corporation Limited,
Through its General Manager, M.P.
State Office, 16, Arera Hills, Jail
Road, Bhopal, Madhya Pradesh.

Present : Shri Sanjay K. Agrawal, learned counsel for the petitioners.
Shri Bhishma Kinger, learned counsel for respondents No. 4
& 5.

86

(ORAL ORDER)
(Passed on 7th November, 2006)

I am not convinced with the grounds stated for not filing the written statement within the time specified. The pendency of the proceedings in an interlocutory matter would not have come in the way of the petitioners-defendants filing written statement. There is no failure of justice. The writ petition is, therefore, dismissed. No costs.

Sd/-
Chief Justice

Bini